



STATE OF WISCONSIN

Assembly Journal

Ninety-Eighth Regular Session

1:35 P.M.

THURSDAY, September 20, 2007

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Petersen in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly amendment 3 to **Assembly Bill 305** offered by Representatives Kerkman and Sherman.

Assembly amendment 3 to **Senate Bill 20** offered by committee on **Transportation**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 11

Relating to: proclaiming October 12, 2007, as Rocky Bleier Day in Wisconsin.

By Representatives Wieckert, Roth, Kaufert, A. Ott, Nelson, Kerkman, Jeskewitz, Musser, Nygren, Gunderson, Petrowski, Tauchen, LeMahieu, Bies, Sheridan, Nerison and Albers.

To committee on **Rules**.

Assembly Joint Resolution 66

Relating to: the life and public service of Norbert DeCleene.

By Representatives Nelson and Montgomery; cosponsored by Senators Cowles and Hansen.

To committee on **Rules**.

Assembly Joint Resolution 67

Relating to: proclaiming October 12, 2007, as Rocky Bleier Day in Wisconsin.

By Representatives Wieckert, Roth, Kaufert, A. Ott, Nelson, Kerkman, Jeskewitz, Musser, Nygren, Gunderson, Petrowski, Tauchen, LeMahieu, Bies, Sheridan, Nerison and Albers; cosponsored by Senators Ellis, Roessler, A. Lasee, Hansen, Lassa, Cowles and Coggs.

To committee on **Rules**.

Assembly Joint Resolution 68

Relating to: the life and military service of Corporal Keith A. Nurnberg of the United States Army, who lost his life during Operation Iraqi Freedom.

By Representative Lothian; cosponsored by Senator Kedzie.

To committee on **Rules**.

Assembly Bill 509

Relating to: reducing reimbursement by county departments of community programs for inpatient facility care and services for mentally ill county residents and making an appropriation.

By Representatives Albers, Gronemus, Musser, A. Ott and Hahn; cosponsored by Senators Schultz and Leibham.

To committee on **Health and Healthcare Reform**.

Assembly Bill 510

Relating to: affirmative action practices in state and local government contracting and state and local government hiring, the consideration of race or ethnicity in the University of Wisconsin System, and eligibility requirements for minority teacher loans and minority undergraduate grants awarded by the Higher Educational Aids Board.

By Joint Legislative Council.

To committee on **Judiciary and Ethics**.

Assembly Bill 511

Relating to: payday loan providers, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a penalty.

By Representatives Jorgensen, Hintz, Boyle, Hixson, Pocan, Sinicki, Albers, Berceau, Parisi and Sheridan; cosponsored by Senator Lehman.

To committee on **Financial Institutions**.

Assembly Bill 512

Relating to: designation of an official state automotive museum.

By Representatives Pridemore, Gunderson, Townsend and Albers; cosponsored by Senators Kanavas, Roessler and Grothman.

To committee on **Tourism, Recreation and State Properties**.

Assembly Bill 513

Relating to: requiring that a high school course in agriculture be counted as a science credit.

By Representatives Mursau, Tauchen, Gronemus, Davis, Suder, A. Ott, Nerison, Vos, Gunderson, Ballweg, Jorgensen,

Hahn, Owens, Albers, Berceau, Musser, Montgomery, Townsend and LeMahieu; cosponsored by Senators Schultz and A. Lasee.

To committee on **Education**.

Assembly Bill 514

Relating to: information required to be included in the biennial state budget report.

By Representatives Strachota, Pridemore, Jeskewitz, Ballweg, Albers, Hahn, Vukmir, Kleefisch, Bies, Vos, F. Lasee, Nass, Gunderson, Gundrum, Kramer and Zipperer; cosponsored by Senators Kanavas, Lazich and Schultz.

To committee on **Ways and Means**.

COMMITTEE REPORTS

The committee on **Natural Resources** reports and recommends:

Assembly Bill 359

Relating to: the preference systems for issuing Class A bear licenses, bobcat hunting and trapping permits, fisher trapping permits, and otter trapping permits.

Passage:

Ayes: 12 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Nerison, Mursau, Black, Molepske, Steinbrink, Hraychuck and Hebl.

Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Natural Resources

The committee on **Transportation** reports and recommends:

Assembly Bill 370

Relating to: commercial driver license testing for military license holders.

Assembly Substitute Amendment 1 adoption:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan and Garthwaite.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Gottlieb, Van Roy, Davis, Steinbrink, Vruwink, Sheridan and Garthwaite.

Noes: 0.

To committee on **Rules**.

JERRY PETROWSKI
Chairperson
Committee on Transportation

The committee on **Veterans and Military Affairs** reports and recommends:

Assembly Bill 362

Relating to: providing financial aid to military families, creating an individual income tax checkoff for the military family relief fund, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler and Boyle.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler and Boyle.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 400

Relating to: powers and duties of the Department of Military Affairs, the adjutant general, military officers, military property and assets, the national guard, the state defense force, rights of service personnel, the Wisconsin code of military justice, making an appropriation, and providing a penalty.

Passage:

Ayes: 8 – Representatives Musser, Townsend, Petrowski, Bies, Petersen, Sherman, Hubler and Boyle.

Noes: 0.

To committee on **Rules**.

TERRY MUSSER
Chairperson
Committee on Veterans and Military Affairs

COMMUNICATIONS

September 19, 2007

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 472.

Sincerely,
MARK GUNDRUM
State Representative
84th Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health and Family Services
Madison

September 18, 2007

To the Honorable, the Legislature:

Section 55.14(11) of the Wis. Stats. requires the Department of Health and Family Services to submit a report concerning any orders for the involuntary administration of psychotropic medications to individuals who are receiving protective services. Counties and their contract agencies are required to submit copies of these orders to the Department. Section 51.14(3) and (8) establish the criteria for issuance of court orders. Two counties, Washburn and Dodge, provided copies of protective placement court orders for psychotropic medications in calendar year 2007.

With warm regards,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Aging and Long Term Care.**

State of Wisconsin
Department of Health and Family Services
Madison

September 18, 2007

To the Honorable, the Legislature:

Pursuant to Section 46.014(4) of the Wis. Stats., the Department of Health and Family Services is required to submit an annual report to the Legislature concerning the activities of the Community Action agencies under s. 46.30, and their effectiveness in promoting social and economic opportunities for low-income persons.

The attached report describes the uses of the Community Services Block Grant funding and its support of the services provided by the Community Action agencies and Limited Purpose agencies in order to reduce poverty, revitalize low-income communities and empower low-income individuals and families to become economically self-sufficient.

If you have any questions or need additional information, please contact Kitty Kocol, CSBG Coordinator at (608) 267-5149 or kocolk@dhfs.state.wi.us.

With warm regards,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Children and Family Law.**

State of Wisconsin
Department of Health and Family Services
Madison

September 19, 2007

To the Honorable, the Legislature:

In accordance with s. 1.11(2)(j) Wis. Stats., the Department of Health and Family Services reports that it did not conduct any Environmental Assessments or Environmental Impact Statements during the reporting period of July 1, 2006, through June 30, 2007.

With warm regards,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Natural Resources.**

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

September 19, 2007

To the Honorable, the Assembly:

As required by s. 39.15, Wis. Stats., we have completed a limited-scope review of the medical education contract between the State of Wisconsin and the Medical College of Wisconsin, Inc., for fiscal year (FY) 2004-05 and FY 2005-06. The State appropriated \$4.1 million in general purpose revenue to the Medical College for tuition aid for this period. In addition, the State provided approximately \$6.7 million in general purpose revenue for the development and operation of the Medical College's family practice residency program. The State also made \$375,000 in debt service payments related to general obligation bonds that it issued to fund certain construction projects at the Medical College.

Overall, we found that the Medical College was in compliance with its contract with the State and with requirements set forth in ss. 39.15 and 39.155, Wis. Stats. During our review, we found the students claimed for state tuition aid were certified by the Higher Educational Aids Board as Wisconsin residents and were eligible to receive this aid. In addition, the Medical College gave preference in admissions to Wisconsin residents and promoted minority enrollment. We also found that the Medical College expended funds provided by the state in a manner consistent with legislative intent. Finally, the State's debt service payments agreed with the bond repayment schedules maintained by the Wisconsin Department of Administration for the applicable Medical College construction projects.

We appreciate the courtesy and cooperation extended to us by staff of the Medical College of Wisconsin during this review.

Sincerely,
BRYAN NAAB
Deputy State Auditor for Financial Audit

State of Wisconsin
Legislative Audit Bureau
Madison

September 21, 2007

To the Honorable, the Assembly:

We have completed a biennial performance evaluation of the Department of Administration's Division of Gaming, as required by s. 13.94(1)(eg), Wis. Stats. The Division oversees Indian gaming, pari-mutuel racing, and charitable gaming activities in Wisconsin. In fiscal year (FY) 2005-06, its expenditures to regulate all three types of gaming activities totaled \$3.3 million in program revenue.

Indian gaming represents the most significant gaming activity in Wisconsin. In 2006, tribal gaming revenue was \$1.3 billion, tribal gaming expenses were \$770.3 million, and tribal gaming profits were \$555.9 million. The 2003 compacts between the State and the tribes expanded the types of games that tribes may offer, lengthened the duration of the compacts, and changed the method tribes use to calculate payments they make to the State. In FY 2005-06, the State received \$118.7 million from ten tribes. Compact disputes with several tribes remain unresolved.

Compacts contain several provisions designed to ensure the integrity of Indian gaming in Wisconsin and compliance with regulations. One important control requires tribes to identify instances in which amounts recorded by electronic meters in electronic gaming devices differ from amounts collected from those devices and counted by casino staff. We reviewed 2006 data maintained by the Division in the State's Data Collection System and found differences in these amounts for every day

of the year. The Division asserts most of these differences were caused by programming errors in the Data Collection System and the casinos' electronic accounting systems.

Although the Division reviews many important financial controls implemented by casinos, it has not routinely used the Data Collection System to identify differences between amounts recorded by electronic meters and amounts counted by casino staff. These data are important in identifying potential irregularities in gaming operations and financial reporting that cannot be identified from other controls the Division reviews. Moreover, we found that from March 2006 through April 2007, the Division did not review data maintained by casinos to determine whether the tribes identified, investigated, and documented these differences, as required by their compacts.

We appreciate the courtesy and cooperation extended to us by the Division. The Division's response follows the appendices.

Respectfully submitted,
JANICE MUELLER
State Auditor

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, September 25.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:36 P.M.